

REMARKS

The applicant's representative Mandy Jubang thanks Examiner Christopher Revak for the courtesies extended during the telephonic interview of July 26, 2006. During the interview, the "application rights information that is explicitly related to the received content" feature of claim 1 was discussed in view of Wyman. Agreement with respect to claim 1 was not reached.

Claims 1 to 52 are currently pending, of which claims 1, 15, 21, 27, 40, 46, and 52 are independent. Reconsideration of the final action mailed May 31, 2006 is requested in light of the following remarks.

35 U.S.C. § 103(a) Rejections

Claims 1-52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,509,070 ("Schull") in view of U.S. Patent No. 5,745,879 ("Wyman").

In rejecting independent claims 1 and 27, the examiner stated:

The teachings of Schull fail to disclose of receiving application rights information that is explicitly related to the content whereby the application rights information being operable to enable an operation of the disabled operations. It is taught by Wyman of receiving application rights information that is explicitly related to the content whereby the application rights information being operable to enable an operation of the disabled operations (col. 6, lines 21-33 & 50-61 and col. 7, lines 14-25). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to apply specific usage terms to licensed software products. It is obvious to apply specific usage terms since Wyman recites of motivational benefits by disclosing of the need for a management policy used to account for software product usage for each licensed software product (col. 6, lines 13-20).

The applicant disagrees with the examiner's characterization of the teachings of Wyman. Specifically, the applicant disagrees with the examiner's assertion that Wyman discloses "application rights information that is explicitly related to the received content," much less "application rights information being operable to enable an operation of the one or more disabled operations to operate on the received content..."

Wyman discloses a license management system that accounts for software product usage throughout a distributed computing system. (Abstract). The license management system includes a license server that maintains a store of licenses (also called "product use

authorizations”) that it administers. (col. 6, lines 22-24). Each license includes an identification of a software product, and one or more policy components that define a license management policy for the software product. (col. 25, lines 14-17). The policy components include a “style” component, a “context” component, a “duration” component, and a “usage requirements determination method” component. (col. 6, lines 40-43) Wyman provides in col. 6, lines 43-62 a brief summary of what each of those components represent:

The style may be allocative or consumptive. An allocative style means the units of the license may be allocated temporarily to a user when a request is received, then returned to the pool when the user is finished, so the units may be reused when another user makes a request. A consumptive style means the units are deducted from an available pool when a user node makes a valid request, and "consumed", not to be returned for reuse. The context value defines the context in which the use is to be allowed, such as on a particular network, by a particular type of CPU, by a particular user name, by a particular process, etc. The duration value (used in conjunction with the style component) concerns the time when the license units are to be deducted from the available pool of units, whether at the time of request, after a use is completed, etc. A usage requirements determination method may be specified to define or provide information concerning the number of license units charged in response to a license request from a user node; for example, some CPU platforms may be charged a larger number of license units than others.

When the license server receives a usage request from a software product on a user node, the license server checks the license for the software product to determine whether the requested usage is permitted. (col. 6, lines 28-29). This determination is based on whether there is a unit of the license available for use by the requesting user node, and if so, whether the requesting user node satisfies the requirements defined by the “context” component of the software product’s license. (see, e.g., col. 13, lines 43-46). The examiner appears to suggest that the requirements defined by the “context” component (or in the examiner’s words, the “usage terms”) are somehow related to content and/or disabled operations of the software product. However, the applicant finds no support for this position anywhere in Wyman, cited by the examiner or otherwise. At most, element 44 of FIG. 3 and the corresponding text at col. 14, line 63 – col. 15, line 11 of Wyman provides support for context requirements that are based on the user node’s network, execution domain, login domain, node ID, process family, process, user name, product name, operating system, and platform ID. There is also a “private” context requirement but it is

unclear to the applicant what a "private" method of determining licensing availability" (as described in col. 15, lines 7-8) involves.

In Wyman, each license is specific to a software product. No portion of Wyman discloses or suggests that a license is "explicitly related to ... *content*." Further, once a user node is permitted usage of the software product, usage is permitted on the software product as a whole. There is no notion in Wyman of the software product having "one or more disabled operations." Accordingly, there is no reason for Wyman to disclose or suggest that a license is "operable to *enable an operation of the one or more disabled operations to operate on the received content...*"

The applicant respectfully submits that Schull and Wyman, alone or in combination, do not disclose all of the features of claim 1. For at least these reasons, claim 1 is allowable over Schull and Wyman. Claim 27 has limitations corresponding to the limitations of claim 1 and is allowable for at least the same reasons.

Should the examiner choose to maintain the rejection of claims 1 and 27 over Schull and Wyman, the examiner is requested to point out with specificity where the feature of "receiving application rights information that is explicitly related to the received content, the application rights information being operable to enable an operation of the one or more disabled operations to operate on the received content within a context specified in the application rights information" is taught in the reference(s).

Claim 15 recites a method for providing content to be operated on by a user software application that includes "generating application rights information that is explicitly related to the generated content, the application rights information being operable to enable an operation of the one or more disabled operations to operate on the generated content within a context specified in the application rights information." For at least the reasons set forth above with respect to claim 1, claim 15 is allowable over Schull and Wyman. Amended claim 40 has limitations corresponding to the limitations of claim 15 and is allowable for at least the same reasons.

Claim 21 recites a method for providing a configurable, context-dependent user software application that includes providing a content generation tool operable to "generate application rights information that is explicitly related to the generated content, wherein the application

rights information is operable to cause the user software application to enable an operation of the one or more disabled operations to operate on the generated content." For at least the reasons set forth above with respect to claim 1, claim 21 is allowable over Schull and Wyman. Amended claim 46 has limitations corresponding to the limitations of claim 21 and is allowable for at least the same reasons.

Claim 52 recited a method for providing and using a configurable, context-dependent user software application that includes "generating application rights information that is explicitly related to the generated content, the application rights information being operable to enable an operation of the one or more disabled operations to operate on the generated content within a context specified in the application rights information." For at least the reasons set forth above with respect to claim 1, claim 52 is allowable over Schull and Wyman.

All of the dependent claims are allowable for at least the same reasons set forth with respect to the claims from which they depend.

Conclusion

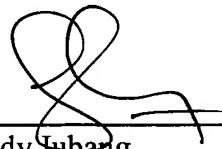
For the foregoing reasons, the applicant submits that all the claims are in condition for allowance.

By responding in the foregoing remarks only to particular positions taken by the examiner, the applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, the applicant's arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 7/26/06



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